

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>IN RE:</b>	§	
	§	
	§	<b>CASE NO. 08-35653-KRH</b>
<b>CIRCUIT CITY STORES, INC., et al.</b>	§	<b>(Chapter 11)</b>
	§	<b>(Jointly Administered)</b>
<b>Debtors.</b>	§	<b>Hearing Date: December 7, 2009</b>
	§	<b>Time: 2:00 p.m.</b>

**NOTICE REGARDING MOTION OF RYAN, INC. f/k/a RYAN & COMPANY, INC.  
TO COMPEL DEBTOR TO ASSUME EXECUTORY CONTRACT**

PLEASE TAKE NOTICE that Ryan, Inc., f/k/a Ryan & Company, Inc. (“**Ryan**”), by and through the undersigned counsel, pursuant to 11 U.S.C. §365(d)(2) and Fed. R. Bankr. P. 6006(b) and 9014, has filed papers (specifically that certain *Motion to Compel Debtor to Assume Executory Contract* (the “Motion to Compel”)) requesting the entry of an Order compelling Circuit City Stores, Inc. (“Circuit City”), one of the debtors and debtors in possession herein, to assume that certain letter agreement dated June 8, 2005, by and between Ryan and Circuit City, which is attached and incorporated by reference to the *Motion to Compel* as Exhibit 1. A copy of the *Motion to Compel*, with Exhibit 1 and a proposed *Order*, is being served with this *Notice*.

PLEASE TAKE FURTHER NOTICE THAT a hearing on the *Motion* is scheduled for **December 7, 2009** at 2:00 p.m. prevailing Eastern Time, before the Honorable Kevin R. Huennekens, United States Bankruptcy Judge for the United States Bankruptcy Court for the Eastern District of Virginia, 701 East Broad Street, Courtroom 5000, Richmond, Virginia 23219.

**PLEASE TAKE FURTHER NOTICE THAT your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

PLEASE TAKE FURTHER NOTICE THAT any objection to the *Motion to Compel* must be made in writing, filed with the Bankruptcy Court at the following address: Clerk of the United States Bankruptcy Court, 701 East Broad Street, Suite 4000, Richmond, Virginia 23219, and served so as to be received **no later than 11:59 p.m. prevailing Eastern Time on November 30, 2009** (the “Objection Deadline”) by the following persons: (i) Robert M. Marino, Esq., Redmon Peyton & Braswell, LLP, 510 King Street, Suite 301, Alexandria, Virginia, 22314;

Bruce W. Akerly, Esq.  
Texas Bar No. 00953200  
BELL NUNNALLY & MARTIN LLP  
1400 One McKinney Plaza  
3232 McKinney Avenue  
Dallas, Texas 75204-2429  
Phone: (214) 740-1430  
Facsimile: (214) 740-1421  
Email: brucea@bellnunnally.com

Robert M. Marino, Esq. VSB #26076  
Redmon Peyton & Braswell, LLP  
510 King Street, Suite 301  
Alexandria, VA 22314  
703-684-2000  
703-684-5109 (fax)  
[rmmarino@rpb-law.com](mailto:rmmarino@rpb-law.com)

Local Attorneys for Ryan, Inc. f/k/a Ryan & Company, Inc.

(ii) Bruce W. Akerly, Esq. BELL NUNNALLY & MARTIN LLP 1400 One McKinney Plaza, 3232 McKinney Avenue Dallas, Texas 75204-2429; (iii) Douglas M. Foley, Esq., McGuireWoods LLP, 9000 World Trade Center, 101 W. Main St., Norfolk, Virginia 23510; (iv) Dion W. Hayes, Esq., McGuireWoods LLP, One James Center, 901 E. Cary St., Richmond, Virginia 23219; (v) Gregg Galardi, Esq., Skadden Arps, Slate Meagher & Flom LLP, One Rodney Square, Box 636, Wilmington, Delaware 19899; (vi) Robert B. Van Arsdale, Esq., Office of the United States Trustee, 701 East Broad Street, Suite 4304, Richmond, Virginia 23219; (vii) Lynn L. Tavenner, Esq., Tavenner & Beran PLC, 20 North Eighth Street, Second Floor, Richmond, Virginia 23219; (viii) Jeffrey N. Pomerantz, Esq., Brad R. Godshall, Esq., Pachulski Stang Ziehl & Jones, LLP, 10100 Santa Monica Blvd., 11th Floor, Los Angeles, California 90067-4100; (ix) John D. Fiero, Esq., Pachulski Stang Ziehl & Jones, LLP, 150 California Street, 15th Floor, San Francisco, California 94111-4500; and (x) Robert J. Feinstein, Esq., Pachulski Stang Ziehl & Jones, LLP, 780 Third Ave., 36th Floor, New York, New York 10017. Unless a written response is filed and served before the Objection Deadline, the Court may deem the opposition waived, treat relief under the *Motion to Compel* as conceded, and issue an order granting the requested relief. If you mail your response to the Bankruptcy Court, you must mail it early enough so that the Bankruptcy Court will receive it on or before the expiration of the Motion to Compel Objection Deadline.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the *Motion to Compel* and may enter an order granting that relief.

Dated: November 13, 2009

Respectfully submitted

/s/ Bruce W. Akerly

Bruce W. Akerly, Esq. Texas Bar No. 00953200  
BELL NUNNALLY & MARTIN LLP

1400 One McKinney Plaza

3232 McKinney Avenue

Dallas, Texas 75204-2429

Tel: (214) 740-1430

Fax: (214) 740-1421

Email: [brucea@bellunusually.com](mailto:brucea@bellunusually.com)

Attorneys for Ryan, Inc. f/k/a

Ryan & Company, Inc.

and

/s/ Robert M. Marino

Robert M. Marino, Esq. VSB#26076

REDMON, PEYTON & BRASWELL, LLP

510 King Street, Suite 301

Alexandria, VA 22314

Phone: 703-684-2000

Fax: 703-684-5109

Email: [rmmarino@rpb-law.com](mailto:rmmarino@rpb-law.com)

Local attorneys for Ryan, Inc. f/k/a

Ryan & Company, Inc.